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IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

SINGLE BENCH

WRIT PETITION NO 3220/2006

PETITIONER

P.R. No. 3274/06
Presented by Shri. K. K. Patil
dated 17-7-06

Raghav G. Patil
Project Range Officer at
Panabaras Project
Division,
Rajnandgaon. (C.G.)
Age- 50 years
S/o Shri Gendu Patil,
R/o MIG-32, Kota, Housing
Board Colony, Raipur.
(C.G.)

VERSUS

RESPONDENTS

1. Chhattisgarh State Forest Development Corporation, Raipur.
Represented through its Chairman. (C.G.)
2. Regional General Manager Chhattisgarh State Forest Development Corporation, Raipur.
3. General Manager, Chhattisgarh State Forest Development Corporation, Raipur.
(C.G.)
4. Divisional Manager Panabaras Project Division, Rajnandgaon.
(C.G.)

RECEIVED-COPY
CLERK to A.C. BILASPUR
17/7/06



WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN THE NATURE OF CERTIORARI, MANDAMUS, PROHIBITION AND FOR OTHER SUITABLE WRIT OR WRITS, ORDER OR ORDERS, DIRECTION OR DIRECTIONS ETC.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.3220/... सन् 2006

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<u>4-7-2006</u> Mrs. Fouzia Mirza, counsel for the petitioner. Mr. A.S. Kachhawaha, counse for the respondents, on advance copy. Heard on admission. The main grievance of the petitioner is that even though the petitioner is eligible for promotion, but he has not been considered for promotion. The case of the petitioner is that he was appointed as Project Range Officer on 31-3-1978 at Panabards Division and his name appears at serial No.43 in the seniority list of Technical Assistant in the year 1989. Moreover, the petitioner is a Scheduled Caste candidate. Initially his caste was entered as SC, however, thereafter, some mistake crept-in in the record against which the petitioner represented and same was rectified vide order Annexure P-8 in the service book. In the year 1993, the Departmental Promotion Committee was constituted for considering promotion to the post of Assistant Manager (Junior), but in contemplation of enquiry against the petitioner, the petitioner's case was not considered. The DPC again considered the case⁴of promotion in the year 1995, but the petitioner's case was not considered on account of pendency of enquiry against him. In the year 1997, enquiry was completed and the petitioner was exonerated. Learned counsel for the petitioner submits that as per the settled law, the Departmental Promotion Committee ought to have considered the case of the petitioner for promotion to the post of Assistant Manager (Junior) by applying sealed cover process, but the same has not been applied and now, the petitioner has been exonerated. The petitioner has made representation	

मामला क्रमांक W.P. 3220/ सन् 2006

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश - 2 -	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	regarding his grievances, but that is not being considered by the respondent authorities. Learned counsel further submits that therefore, the authorities be directed to decide the representation, in accordance with law, to which Mr. Kachhawaha, learned counsel appearing on behalf of the respondents has no objection. Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, the prayer made by learned counsel for the petitioner is just, fair and reasonable. Therefore, without expressing any opinion on the merits of the case of the petitioner, respondent No.1 is directed to consider the representation of the petitioner and decide the same in an objective manner, after considering the points raised by the petitioner, within a period of two months from the date of receipt of a copy of this order, in accordance with law. With the direction aforesaid, the petition stands disposed of. Consequently, I.A.No.6363/2006 also stands disposed of. Parties are entitled for certified copy of this order.	Sd/- L.C. Bhadoo Judge

Soma

11/7/06
6-7-06